

## Message Text

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ACTION DHA-02

INFO OCT-01 EA-10 IO-13 ISO-00 AID-05 OMB-01 TRSE-00  
CIAE-00 DODE-00 PM-05 H-01 INR-07 L-03 NSAE-00  
NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 ORM-02  
IGA-02 /082 W  
-----080467 181246Z /41

R 180948Z AUG 77  
FM AMEMBASSY BANGKOK  
TO USMISSION GENEVA  
INFO SECSTATE WASHDC 5272  
USMISSION USUN NEW YORK

C O N F I D E N T I A L BANGKOK 18304

EO 11652: GDS  
TAGS: SREF, PORG, TH  
SUBJ: AGREEMENT BETWEEN THAI GOVERNMENT AND UNHCR ON INDOCHINESE  
REFUGEES

REF: BANGKOK 18071

1. BANGKOK PRESS REPORTED SIGNING JULY 22, 1977, OF A NEW  
AGREEMENT BETWEEN UNHCR AND RTG IN GENEVA, DEALING WITH PROGRAM  
FOR HANDLING INDOCHINESE REFUGEES IN THAILAND. SINCE THEN WE HAVE  
ENCOUNTERED NUMEROUS REFERENCES TO THIS AGREEMENT BUT HAVE NOT  
RPT NOT YET BEEN ABLE TO OBTAIN A COPY OF IT. AUG 18 CESARE BERTA,  
UNHCR RESIDENT REPRESENTATIVE IN THAILAND, PROVIDED EMBOFF WITH  
FOL DOCUMENT WHICH MAY WELL BE EXTRACT OF JULY 22 AGREEMENT. HE  
DECLINED TO PROVIDE COPY OF AGREEMENT AS SUCH ON GROUNDS AGREE-  
MENT IS BETWEEN UNHCR AND RTG AND NOT RELEASABLE TO THIRD PARTY.  
ACTION REQUESTED: THAT USMISSION SEEK COPY OF JULY 22 AGREEMENT  
BETWEEN UNHCR AND RTG OR DETERMINE WHETHER FOL TEXT IS ESSENCE  
OF AGREEMENT.

QTE 1. IN IMPLEMENTING THE PROGRAMME OF HUMANITARIAN ASSISTANCE,  
DUE REGARD SHALL BE HAD TO THE NEED TO PROTECT THE NATIONAL  
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SECURITY, PUBLIC ORDER, PUBLIC HEALTH AND MORALS OF THE THAI  
NATION.

QTE 2. EVERY BENEFICIARY OF THE PROGRAMME IN THAILAND HAS DUTIES  
TO THE COUNTRY IN WHICH HE FINDS HIMSELF, WHICH REQUIRE, IN  
PARTICULAR, THAT HE CONFORM TO ITS LAWS AND REGULATIONS AS WELL  
AS TO MEASURES TAKEN FOR THE MAINTENANCE OF PUBLIC ORDER.

QTE 3. IT IS RECOGNIZED THAT A DISTINCTION MUST BE MADE BETWEEN PERSONS WHO QUALIFY AS BEING WITHIN THE COMPETENCE OF UNHCR AND THOSE WHO LEAVE THEIR COUNTRY OF NATIONALITY OR HABITUAL RESIDENCE FOR REASONS OF PERSONAL CONVENIENCE, FOR EXAMPLE ECONOMIC MIGRANTS, OR PERSONS WHO ARE NOT BONA FIDE REFUGEES.

QTE 4. THE HIGH NUMBER OF ILLEGAL ENTRANTS INTO THE KINGDOM OF THAILAND IS VIEWED WITH SERIOUS CONCERN. ACCORDINGLY, THE GOVERNMENT OF THAILAND INTENDS TO ADOPT STRICT MEASURES TO DISCOURAGE SUCH ILLEGAL ENTRANTS AND TO ISSUE A PROCLAMATION WHEREBY THEY SHALL BE PROSECUTED AND PUNISHED ACCORDING TO LAW.

QTE 5. IN EXERCISE OF ITS SOVEREIGN PREROGATIVES, THE GOVERNMENT ALSO INTENDS TO INSTITUTE NECESSARY PROCEDURES IN ACCORDANCE WITH THE INTERNATIONALLY RECOGNIZED HUMANITARIAN PRINCIPLES AND IN KEEPING WITH THE DISTINCTION BETWEEN PERSONS WITHIN THE COMPETENCE OF UNHCR AND OTHERS.

QTE 6. THE GOVERNMENT WILL EXTEND FULL CO-OPERATION AND PROVIDE THE NECESSARY FACILITIES IN ORDER TO ENABLE THE HIGH COMMISSIONER TO PERFORM HIS DUTIES IN ACCORDANCE WITH HIS STATUTE ON BEHALF OF PERSONS WITHIN HIS COMPETENCE. IN ORDER TO ELABORATE A SATISFACTORY PROCEDURAL FRAMEWORK, THE HIGH COMMISSIONER WILL PROVIDE ALL TECHNICAL ASSISTANCE THAT MAY BE REQUIRED BY THE GOVERNMENT.  
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QTE 7. THE GOVERNMENT SHALL BE RESPONSIBLE FOR THE SUPPORT AND MATERIAL WELFARE OF PERSONS WHO QUALIFY UNDER THE ELIGIBILITY PROCEDURES ONCE THEY HAVE BEEN INSTITUTED BY THE GOVERNMENT.

QTE 8. THE GOVERNMENT AND THE HIGH COMMISSIONER WILL COOPERATE IN ORDER TO PROMOTE, AS SOON AS PRACTICABLE, DURABLE SOLUTIONS FOR AND SELF-RELIANCE OF PERSONS WITHIN THE COMPETENCE OF UNHCR.  
END QTE.

COMMENT: OBVIOUSLY, UN LEGAL TEAM VISIT TO THAILAND (PARA 3, REFTTEL) RELATES TO HOW TO DEFINE PARAS 3 AND 4 ABOVE. AT SAME TIME IT IS OUR IMPRESSION THAT RTG ITSELF IS NOT RPT NOT QUITE CERTAIN AS TO HOW TO PROCEED. IN THAT CONTEXT WE ARE REPORTING CHARGE'S DISCUSSION WITH SENIOR RTG OFFICIALS ON REFUGEE/PAROLE QUESTION.  
O'DONOHUE

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NNN

## Message Attributes

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**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** AGREEMENTS, REFUGEES  
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**Disposition Approved on Date:**  
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**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
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**Executive Order:** GS  
**Errors:** N/A  
**Expiration:**  
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**TAGS:** SREF, PORG, TH, UNHCR  
**To:** GENEVA  
**Type:** TE  
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**Review Markings:**  
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